File No. 52
1912.

Collection No.

Mysore Residency

11/3/47

Pros. Serial Nos. 1 – 2.

Subject.

Transfer to the municipality for purposes of sanitation of 2 pieces of land near the pork slaughter house in Shimmiah Road

Previous References.

Later References.

S. 97. (Blue).

DCFP—678StP—G 1085—10-3 39—1,000 Bks.

Margin for binding not. to be written on.

S. 1. E. P. B.—3·1911.—5,000.

Office Note.

File No. 52/1912

Letter No. 438 *dated* 29th January 1912

from the Collector, Port Blair Station Penang.

Gl. 1

SUBJECT.

Two pieces of land in the vicinity of the Port Slaughter House in Thirumalai Road, Co Station.

As the pieces of land in question do not appear to be the property of Government, they vest in Govt under Sec: XI of Act No. III of 1868 as applied to the Co Station of Penang. The Collector proposes their transfer to the municipality for purposes of sanitation, viz for levelling & being kept clean. The proposal may be sanctioned.

2. If the plots in question were however comprised within item 2 of the statement appended to the Govt Chief Commr's order No. 195. Rev. 5 of the 10th April 1875, the municipality might be allowed the disposal of them on the understanding that the grant is merely temporary & terminable at anytime by the orders of the Local Govt. Vide para 2 of the order cited above. Probably, the lands in question are not comprised included in the statement, otherwise the Collector in his capacity of President Municipal Commr, would have taken steps acting under the Chief Commr's powers

D.O. No. 7 (7) '89

while

which has been communicated to the
municipality -

3. If approved, the title may be granted
H.O to the Collector for grant of remarks with reference
to para 2 of note

Yes please.
PBW
9/2

H.
8/2/12 ——— 8/2/12.

To The Collector. (& Rev. Sec. [illegible])
No. 834 D/9-2-12.

9/10/2/12

Resubmitted,

I regret I cannot
understand para 2 of
the note, or on what
points any remarks
are required

H Richards
9 5 12

H.O. No. 1913 D/10-2-12a

I think that we might pass the necessary
orders permitting the transfer. The ground is apparently
reclaimed & encroached & falls under para 2
of the Rule of 1875. PBW
11/5

D.T.D

Notes-*continued*

Margin for binding not to be written on.

draft order is submitted for approval

KJ.
11/5/12

11/5/12

MBO.
13/5

Issued no. 28529 15th May 1912

RESIDENT'S OFFICE.

———:o:———

NOTES AND PRECIS.

R. P. B—6-05.—1,000.

DESPATCHED
2- FEB 1912

3/82

Collector's Office,

Civil and Military Station, Bangalore,

No. 438 Encl 1 & Sketch. 29th January 1912.

...NT'S OFFICE,
From
...ister J. 728
Receipt 3-2-12
5-2-1912

F. J. Richards, Esquire, M. A., I. C. S.,
Collector, Civil and Military Station,
B a n g a l o r e.

To

P. B. Warburton, Esquire, I. C. S.,
First Assistant to the Hono urable the Resident in Mysore.

S i r,

I have the honor to state that the President, Municipal Commission, Civil and Military Station, has asked for the transfer to the Municipality for purposes of sanitation of two pieces of lands* in the vicinity of the pork slaughter House in Thimmiah Road.

*Coloured yellow in the attached Sketch (to be kindly returned).

2. It will be seen from the copy of the report No. 449, dated 20th September 1911 (herewith sent) from the Station -- Amildar that due notice was issued calling for claimants to the above strips of land and that no real claimants having come -- forward, the pieces of land are to be treated as vesting in -- Government - vide section XI of Bombay Act IV of 1868 (page 63 of the Mysore Survey Manual).

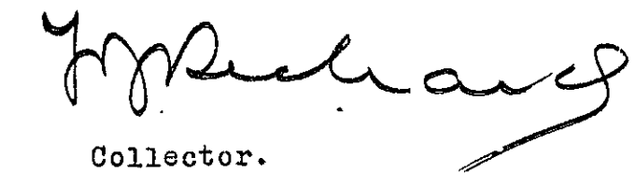
3. I submit the case for the orders of the Honourable the Resident and request that I may be permitted formally to take - possession of the land and transfer the same to the Municipality in order that the same be levelled and kept clean.

4. The three alleged claimants for the land who appeared before the Amildar may be informed to establish their rights, if any, in a court of law.

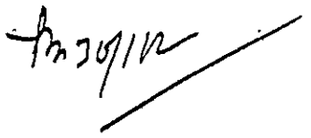
I have the honor to be,

Sir,

Your most obedient servant,



Collector.



Letter No.449/1911, dated 2oth/25th September 1911, from the Amildar, Civil and Military Station, to the Collector, Civil and Military Station, Bangalore, Bangalore.

In resubmitting herewith the Municipal President's correspondence ending with his No.2998 dated 30th September 1910, I beg respectfully to report that on receipt of the above reference a notice was issued calling for claimants to the vacant lands situated close to the cemerator at the Pork slaughter house and the same was proclaimed by beat of tom-tom in the adjoining localities of the site under reference. Anumanthu and two others noted in the margin came forward and claimed certain portions thereof.

1. Anumanthu
2. Katigadu Venkatasawmy
3. Narasimlu

2. Individuals i and 3 Anumanthu and Narasimlu did not adduce any evidence in support of their claim, and No.2 Katigadu and Venkatasawmi produced 2 witnesses viz Sadamah and Munigadu for the purpose. These two witnesses who are coolies, contradict each other and their evidence is apparently untrustworthy. None of them produced any documentry evidence in support of their claim to the land, though they had ample time to do so, and in fact they seem to have had no title to the property.

3. Besides these three individuals no others have come forward. In the absence of claimants, all unoccupied open spaces belong to Government as per rule XI Act IV of 1868, Bombay. I think that steps may be taken to have the entire site around the new cenerator kept open without allowing any buildings being erected thereon.

4. As regafds the three nominal claimants to certain portions in the land, their failure to prove their claim either by the production of documentary or oral evidence, do not entitle them for a share therein and they may therefore be told not to interfere with the land till they establish their right if any thereto

in the Civil Court. In case the petitioners succeed in establishing their right to the property, the Municipality will then be in a position to demand from them the amount spent in levelling the ground and keeping it clean.

5. The statements of Hanumanthu, Narasimlu, Katigadu, Venkatasami and their witnesses together with their petitions are herewith enclosed along with a rough sketch of the land for information.

6. A bill for annas eight being the wages paid to the tom-tom beater is also sent with a request that the amount may be ordered to be sent to me.

" C o p y "

Sheristadar.

11/2/12

S. 3.—R. P. B.—4-1912.—10,000.

No 52
12

[DRAFT.]

From F. B. Warburton Esqr, I.C.S.,
First Assistant to the Resident
in Mysore

To

Proceedings of the Resident in Mysore

No 2852 Genl Sketch

27/15th January 1912

No. 1

Read:—

Letter No. 438, dated the 29th January 1912, from the Collector, Co. Station of Mangalore, requesting permission to take possession of two pieces of land in the vicinity of the New Slaughter House in Kankanadi Ward & to transfer the same to the Municipal Commissioner for sanitary purposes, viz:- the bevelled & hyr. shown.

Order

The Collector's proposal is approved.

[illegible]

First Asst. to the Resident

To The Collector of Mangalore,
(returning the sketch) with a remark that the claimants for the land may be asked to establish their rights, if any, in a Civil Court

No. 111/5/12

11/5/12